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COMPLAINT FORM

(for filers who are prisoners without lawyers)

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW ALBANY;
INDIANA

(Full name of plaintiff(s))

Termaine Joe Cosby,

(Nurse) Lindsey; witness

(Officer) Burney; witness

vs

(Full name of defendant(s))

FLOYD COUNTY Jail; et al.

Lt. Bradley Dangler; Lt. Roy;

Lt. Moses; Off. Boone; Off. Borral;

Off. Wingard; Jail Commander, Steve Bush

I Termaine J. Cosby, respectfully ask this Court permission to proceed with the Amended Complaint.

A. PARTIES

1. Plaintiff is a citizen of United States, and is located at
(State)

(BTC) Branchville Correctional Facility 21396 OLD STATE RD. 37,
(Address of prison or jail) Branchville, IND. 47514

(If more than one plaintiff is filing, use another piece of paper).

2. Defendant Lt. Bradley Dangler
(Name)

FILED

12/16/2024

U.S. DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
Kristine L. Seufert, Clerk

Case Number:

4:24-cv-00126-TWP-KMB
(to be supplied by clerk of court)

is (if a person or private corporation) a citizen of Indiana
(State, if known)

and (if a person) resides at N/A
(Address, if known)

and (if the defendant harmed you while doing the defendant's job)

worked for Floyd County Jail, New Albany, Indiana
(Employer's name and address, if known)

(If you need to list more defendants, use another piece of paper.)

B. STATEMENT OF CLAIM

On the space provided on the following pages, tell:

1. Who violated your rights;
2. What each defendant did;
3. When they did it;
4. Where it happened; and
5. Why they did it, if you know.

— DUEVIEW —

Here, Plaintiffs allege that the Floyd County Jail engages in a Custom or Practice of Condoning or failing to address use of Excessive Force by its Correctional Officers. One of the Prison Officials that violated Cosby Constitutional rights was Lt. Bradley Dangler he hit me repeatedly in the back of my head, and stuck his fingers in my rectum, and drag me through the Jail with Shackled on my Ankles, and Handcuffed. He also drag me through the jail to the padded cell (Naked), because he thought I was not bending over 90° to spread my rectum open, but I did everything that Officer Boone asked me. "I was unable to filed a Prea or Grievance Complaint, because I was placed in a padded cell with NO writing material or tablet."

They denied me a Grievance, and kept me in the hold for (20) days up until they rode me out to R.D.C.. So, I was not afforded the opportunity to "Exhaust my Administrative Remedy" as to the Grievance is concern. Also, Officer Boone walked behind me to the paddle cell. When they threw me in the cell Officer Boone started kicking me along with Lt. Bradley Dangler, the padded cell where it ended, and the Church Chapel where it began. Where Officer Boone started Strip Searching me. Plaintiff's alleged prison Officials did not Intervene - The (4) Fourth Amendment - applied to State actors via the (14) Fourteenth Amendment - prohibits prison Officials from using excessive force when there is NO threat to harm them or any one else, Mr. Cosby never resisted and or showed aggression, and was violated by the same people who was supposed to protect his Liberty interested. As too Lt. Moses, stood by and watched her CO-Workers beat and Sexually assault Mr. Cosby. She could've stopped them to NO avail. She watched me in pain, scream Please, Please stop I didn't do anything. Then Officer Burney ran in, and pushed me to the ground, and Blocked me. So, they could stop beating me! And I got a write up for not pushing

my dinner tray to the door and a beating for not moving in a fast manner to bend over 90° , and finger up my Butt for not moving fast enough! ...Lt. Ray gave me (20) twenty days in (Sag) to silence me." This was a Malicious acts by the prison official and clearly meant to discourage Mr. Cosby, violated his (14) Fourteenth Amendment - Due Process/NO Hearing/NO writing material/NO phone called or tablet; in regard to silence me from writing the Court's.

Notice: This all happened at 8:47 p.m., on August 22nd, 2024, It's all on The Jail Video footage as I request this Honorable Court to have Floyd County Jail to save this footage in its entirety. Please excuse me:

"I made a mistake in the above paragraph concerning the time this incident took place at 4:30 p.m., up until 8:47 p.m., on August 22nd, 2024."

Termaine Joe Cosby
Termaine Joe Cosby

STATEMENT OF CLAIM

I, Jermaine I. Cosby, allege on or about August 22nd, 2024, around Dinner time at 4:30 pm. in (F) block at Floyd County Jail a dispute started with Officer Borral and another inmate (Arguing) about the inmate trading items off his tray. So everybody was told to take your tray and go to your bunk from the eating area. So that's what everybody did except the inmate that was arguing with the officer he stayed at the table. So the officer came back cuffed him, and took him to Segregation. So another inmate pushed the intercom button to see if we could get off our bunks. So the officer that took the inmate came back in (F) dorm to get the inmates property and said No you can't get off your bunks stay there so everybody did, and then another officer came over the intercom and said push the trays to the hallway and it was a female officers. That's how I know it wasn't the same officer and a inmate went to the button, and said Officer Borral said everybody stay on your bunks. So everybody stayed where we was told. About an hour and thirty minutes went by and Eight Officers came in with Shields, Pepper Spray, Guns, and started calling each inmate by there last name one by one and hand-cuffed each one of us and took every inmate that was in (F) dorm to the gym. They made us Face the wall and sit on the gym floor handcuffed.

So it is (45) inmates in the dorm the other Five was on the floor because the dorm only holds (40) Forty and (5) Five slept on the ^{floor} with a mat and they came got us one by one out of the gym and took me back to the dorm and asked me what property was mine because I had things on the shelf my shampoos and different stuff. So the stuff, I said was mine they put inside a clear bag and "Steve Bush", the Jail Commander was also in the dorm.

Supervisory Liability and Monell Claim: Mr. Cosby allege for sure that more than one Supervisor played a part in this claim: as to more than one Supervisor knew about the act and facilitated, approve it, Condone it, and or turn a blind eye for fear of he or she might see or be a part of, and this all happen as the Prison ^{what} officials acting under the Color of State and Federal Law.

Therefore, The Jail Commander knew of this incident and what was taking place. He asked me who told everybody to NOT push the trays to the hallway. So I told him Officer Borral told everybody to stay on your bunk and Steve Bush the Jail Commander, said why didn't you do what the Officer told everybody, I said, I did Officer Borral said nobody move and then: the Jail Commander, Steve Bush said the one on the intercom. The Jail Commander threaten me as to if I

moved I was going to Segregation. And then Steve Bush, said what do I look like, I was born yesterday. I said, I don't know what you look like so Steve Bush, Jail Commander, said to Officer Boone, get him the [Hell] away from me. And Officer Boone, took me from (F) dorm to the Church Chapel and there was a restroom in there, but in the Chapel area there was tables set up, and lots of bags with Inmate's property in them that was taken out before I was, and at the other table Lt. Moses, and Officer Wingard (Wingard) was there two (2) Women Officer's. So, Officer Boone proceeded with me to the restroom. Where Officer Bradley Dangler, held the restroom door open, and Officer Boone took my handcuffs off me, and said take each piece of clothing, and handed them to Officer Boone he would hand them to Lt. Bradley Dangler, and he would put them away. OK, I got away piece of clothing! Officer Boone, said open your mouth I did he said; grab your private area, and lift them up. I did then he said turn around bend over grab your butt Cheek's, and Spread them, and cough. I did, he said, again... Really, really loud, and Officer Boone said it again and by now Lt. Bradley Dangler had came in the restroom.

And said put your hands on the wall and said spread your feet. I did and Officer [Lt.] Bradley Dangler begin kicking my feet, further, and further apart to where I almost fell. So at this point I'm very scared of [Lt.] Bradley Dangler is real aggressive, and Officer [B]oone held my hand on the wall and [Lt.] Bradley Dangler hits me repeatedly in the back of my head with his Fist. While Lt. Bradley Dangler was doing this he was "Saying I Hate you [N]iggers." Then out of nowhere my Witness Officer Burney had ran in and jumped in front of Lt. Bradley Dangler, and Covered me.

So Lt. Bradley Dangler wouldn't hit me anymore. And he pulled me down on my Stomach, and Officer [B]oone, and [Lt.] Bradley Dangler, started Stomping me in my head, back, stomach, and legs. "I'm Screaming crying in pure pain." I didn't do anything so [Lt.] Bradley Dangler, got down on the Floor, and grabbed my left arm started twisting it till he couldn't twist it anymore, and Officer [B]oone put his knee on my head where I couldn't breath. And both Officers [B]oone, and [Lt.] Bradley Dangler put the handcuffs on me and shackle my ankles.

They both stood me and held me against the wall and [Lt.] Bradley Dangler stuck his fingers in my [R]ectum. While Officer [B]oone held me against the wall, and Officer Burney was ordered by [Lt.] Dangler as they begin to dragged me through the Jail hallway Naked.

I remember saying I can't walk, and [Lt.] Bradley Dangler started saying Booo Whoo! As I looked ^{to} my right there were Inmates from my dorm. I Looked Straight ahead, and there was my witness: Nurse Lindsey, shaking her head, and they opened the Paddle cell, and stomped me to the floor. Than they Kicked, and hit me Somemore. While Officer [B]oone Followed behind on the way to the Padded cell. Where he helped [Lt.] Bradley Dangler beat me while I was shackled and handcuffed. I remember Lt. Bradley Dangler; saying I'm going to take the cuffs off don't move until we leave. I heard A woman voice say put the jump suit on and threw it in the paddle cell; I was still on my Stomach hurting; I couldn't move but then I eventually got up, and put the jump suit on. A day or two later they came and it was Nurse Lindsey, she Nurse

Said, she would write me a Statement or testify to what happen today, August 22, 2024, on my behalf, and I thanked her as she proceeded to pass out medication to the Inmates.

Thereafter, two days later Officer Burney, took me from the Padded cell to Segregation cell. Then (3) three days go by and they came, and got me, and took me to [Lt.] Roy's Office it was Officer Burney that Came, and got me from Segregation. So now we are in Lt. Roy's Office, and he pulls the tape up. It was me, (Termaine J. Cosby), Officer Burney, and Lt. Roy are watching the Video Footage, and Lt. Roy stops it, and said he didn't see anything? Officer Burney, said why come (you) Lt. Roy don't see what we see all (3) three of (us) are watching the same video footage. Lt. Roy tells Officer Burney to shut up, and take me (Termaine J. Cosby), to Segregation, and not another word about this if he (Officer Burney), still won't to work here! So, Officer Burney took me back to Segregation. Officer Burney, said to me if I need him to give a Statement about what happened he would, and shouldn't nobody have to go through this! It was uncalled for, and very Racist. In hindsight: As far as a Black

person is concern passing through Floyd County, you have to expect you will be "Pull over" by the Law, and harassed by the police.

Also, [It] Moses watched the whole incident unfold and didn't say anything, but Shuck her hand with a [Smile] on her face, and about a week goes by, and they came, and got me for an X-Ray. They never read them to me or let me see them. Even though, I was spitting up big clots of blood for a whole week they denied me to go to the outside hospital. I am still having nightmares about that day, and I am going to need a lots of therapy up-on my released. Even after the fact I am still having Health problem's... And to let you know that "FLOYD COUNTY JAIL", is NOT Safe for any Black person Male or Female passing through their county.

The real Criminals are wearing the uniforms they are NOT there to protect and served the people. They are prue evil, and I feared for my life there, and those Officer's need to be brought up on Charges.

I, Jermaine Joe Cosby, Allege for the record that everything that I have told this Court is true and I request this Honorable Court to Ordered the Jail Commander at the FLOYD COUNTY JAIL; Mr. Steve Bush to Save the Video Footage in its entirety of the Allege incident August 22nd, 2024, at 4:30 p.m., during Dinner time when the incident started all the way up and until 8:47 p.m., When the beating of Mr. Cosby Succeeded and up until 9:00 p.m., when Mr. Cosby was placed in the paddle cell.

(Officer) Burney; witness
(Nurse) Linsey; witness

Respectfully Submitted,
Jermaine Joe Cosby
Jermaine Joe Cosby

C. JURISDICTION

☒ I am suing for a violation of federal law under 28 U.S.C. § 1331.

OR

☐ I am suing under state law. The state citizenship of the plaintiff(s) is (are) different from the state citizenship of every defendant, and the amount of money at stake in this case (not counting interest and costs) is \$_____.

D. RELIEF WANTED

Describe what you want the court to do if you win your lawsuit. Examples may include an award of money or an order telling defendants to do something or stop doing something.

I, Termaine Joe Cosby, demand a trial by Jury and if I am Successful in my Litigation. I ask this Honorable Court to reward me \$ 300,000.⁰⁰, per individuals in there Official, and personal Capacity to wit: Asking this Court to have each individuals to resigned from the Floyd County Jail. - - Each person as Prison Officials acted under the Color of STATE, and Federal Laws.

*Monetary Damages of \$ 300,000.⁰⁰; per Prison Official in there Personal, and Official Capacity by Laws.

E. JURY DEMAND

- ☒ Jury Demand - I want a jury to hear my case
OR
☐ Court Trial - I want a judge to hear my case

Dated this 9th day of December 20 24.

Respectfully Submitted,

Jermaine Joe Cosby

Jermaine Joe Cosby
Signature of Plaintiff

300651

Plaintiff's Prisoner ID Number

Branchville Correctional Facility 21390 Old State
Road 37 Branchville, Indiana 47514
(Mailing Address of Plaintiff)

(If more than one plaintiff, use another piece of paper).

REQUEST TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING THE FILING FEE

- ☒ I DO request that I be allowed to file this complaint without paying the filing fee. I have completed a request to proceed in the district court without prepaying the fee and attached it to the complaint.
- ☐ I DO NOT request that I be allowed to file this complaint without prepaying the filing fee under 28 U.S.C. § 1915, and I have included the full filing fee with this complaint.